IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 194 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE K.M.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

GUJARAT SLUM CLEARANCE BOARD

Versus

RAJENDRAPURI NARAYANPURI GOSAI

Appearance:

1. Civil Revision Application No. 194 of 2003
MR DA BAMBHANIA for Petitioner No. 1
MR AV PRAJAPATI for Respondent No. 1
MR KL PANDYA AGP for Respondent No. 2.

CORAM : MR.JUSTICE K.M.MEHTA

Date of decision: 23/06/2003

ORAL JUDGEMENT

1. Rule. With the consent of learned advocates for the parties, this matter is taken up today for hearing for final disposal.

2. The Gujarat Slum Clearance Board has filed the present civil revision application against the order dated 26-5-2003 below the application exh. 5 in Civil Misc. Appeal No. 303 of 2003, staying the order passed below exh. 5 in Regular Civil Suit No. 303 of 03 rejecting the application for stay and against the order staying the order of suspension.

3. Heard learned advocates Mr. D.A. Bhambhania for the petitioner, Mr. A.V. Prajapati for the respondent no. 1 and Mr.K.L. Pandya, learned A.G.P. for the respondent no. 2. Mr. Bhambhania, learned advocate for the petitioner prays for deleting the respondent no. 3 from the cause title of this revision application. The prayer of Mr. Bhambhania is granted and accordingly respondent no. 3 is deleted from the cause title of this revision application.

4. Without entering into the merits of the case, this matter is being decided by this Court. It has been agreed by and between the learned advocates for the parties more particularly Mr. A.V. Prajapati, learned advocate for the petitioner that the petitioner shall withdraw Civil Misc. Appeal No. 64 of 2003 pending before the lower appellate court and Regular Civil Suit No. 303 of 2003 pending before the trial Court. The petitioner will also make a written representation to the petitioner Board for revocation of the suspension order taking all grounds and contentions available to him and reason for the same, within 15 days from today. If such representation is made by the petitioner to the petitioner Board, the petitioner Board shall decide the same kindly and sympathetically in accordance with law by a reasoned order, within period of three weeks from the date of receipt of the representation. Rule is made absolute to the aforesaid extent. D.S. is permitted.

(K.M. Mehta, J.)

/JVSatwara/